

EXHIBIT D

Proposed Order

[attached]

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

**SALEM SERVICES GROUP, LLC,

Debtor.**

CASE NO. 16-30919

CHAPTER 7

**ORDER GRANTING MOTION BY THE REGIONAL MEDICAL CENTER OF
ORANGEBURG AND CALHOUN COUNTIES FOR
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)(1)**

THIS MATTER came before the Court on the Motion for Relief from the Automatic Stay (the “Motion”) filed by The Regional Medical Center of Orangeburg and Calhoun Counties (“RMC”). RMC seeks relief from the automatic stay to pursue its rights and remedies under state law in connection with the negligence and breach by the Debtor¹ of the Contracts with respect to the Project. Timely and sufficient notice of the Motion was given to the proper parties in interest in accordance with applicable law, and no objections or responses to the Motion were filed. Based upon a review of the Motion and the other pleadings filed in this bankruptcy case, the Court hereby finds and concludes as a matter of law and fact that “cause” exists to grant RMC relief from the automatic stay under § 362(d)(1) of the Bankruptcy Code to pursue its rights and remedies under state law arising out of the Debtor’s negligence and breach of the Contracts, in accordance with the terms of this Order.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT:

¹ Unless otherwise defined herein, capitalized terms used in this Order shall have the meanings ascribed to them in the Motion.

1. The Motion is GRANTED.
2. The automatic stay imposed by Bankruptcy Code § 362(a) is hereby terminated and modified pursuant to Bankruptcy Code § 362(d)(1) and Rules 4001, 9013, and 9014 of the Federal Rules of Bankruptcy Procedure, such that RMC may pursue its state law rights and remedies arising from the Debtor's negligence and/or breach of the Contracts, including pursuing recovery of proceeds under the Performance Bonds and insurance policies, including naming the Debtor as a party in any litigation relating thereto.
3. To the extent RMC obtains a judgment or award against the Debtor in any other forum, RMC shall not seek to enforce against or collect from the Debtor and from any assets comprising its bankruptcy estate on account of any such judgment or award, except through the filing and allowance of any unsecured claim in this Chapter 7 bankruptcy case and a distribution on such claim, if any, in this Chapter 7 case.
4. Nothing in the Motion or this Order shall preclude RMC from seeking any further orders from this Court not inconsistent herewith or pursuing any other remedies it may have in this Chapter 7 case.
5. This Order shall be effective and enforceable immediately upon entry. The 14-day stay provisions set forth in Federal Rule of Bankruptcy Procedure 4001(a)(3) shall not apply to this Order or the relief granted herein.

This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court